

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

JANE DOE,

Plaintiff,

-against-

ANTHONY PISTILLI ET AL.,

Defendants.

22-cv-02654 (JLR)

ORDER

JENNIFER L. ROCHON, United States District Judge:

On September 26, 2022, *pro se* Plaintiff requested an extension of time to respond to Defendant's Motion to Dismiss filed on September 6, 2022 at ECF No. 12. ECF No. 20. The Honorable Mary Kay Vyskocil denied Defendants' Motion to Dismiss without prejudice for failure to comply with Rule 4(A)(i) of the Court's Individual Rules of Practice in Civil Case regarding pre-motion submissions. Accordingly, IT IS HEREBY ORDERED that Plaintiff's request is denied as moot since it is presently unnecessary.

Separately, on September 22, 2022, Defendants filed a letter requesting permission to file a Motion to Dismiss. ECF No. 19. Then on September 28, 2022, the case was transferred from the Honorable Mary Kay Vyskocil to the undersigned. Subsequently, on September 29, 2022, the Court received a letter from *pro se* Plaintiff requesting an extension of time for Plaintiff to respond to a letter received on September 27, 2022 from Defendants' counsel via email. ECF No. 22. The Court believes that Plaintiff is referring to Defendants' letter requesting to file a Motion to Dismiss. *See* ECF No. 19. The Court does not require parties to file pre-motion letters when filing Motions to Dismiss. Rochon Individual Rules of Practice in Civil Cases, 3(A). Therefore, Plaintiff does not need to respond to Defendants' letter.

IT IS HEREBY ORDERED that Plaintiff's request for an extension (ECF No. 20) is denied as moot since no response is required.

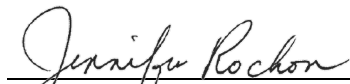
IT IS FURTHER HEREBY ORDERED that Defendants must respond to the Complaint by filing a motion to dismiss or otherwise by October 12, 2022;

IT IS FURTHER HEREBY ORDERED that if Defendants intend to refile a motion to dismiss they shall confer with *pro se* Plaintiff about a briefing schedule for the motion and include that schedule in the reassignment letter that the parties' must file by October 19, 2022.

The Clerk of Court is respectfully directed to mail this Order, along with Judge Rochon's Individual Rules of Practice in Civil Cases and Individual Rules of Practice in Civil *Pro Se* Cases, to *pro se* Plaintiff. Defendants shall also serve a copy of this order and ECF No. 21 on Plaintiff by email if possible.

Dated: October 3, 2022
New York, New York

SO ORDERED.


JENNIFER L. ROCHON
United States District Judge